

MEMO

To: Natural Resources, Agriculture, and Environment Interim Committee

From: Steve Erickson

Date: November 16, 2020

Re: Comments regarding State Water Policy

In response to your request for comments regarding HB 41 (2001) State Water Policy, I would like to submit the following on behalf of Utah Audubon Council and Great Basin Water Network.

The biggest missing component in the statute is the lack of acknowledgement that we are now living in the Anthropocene Era, that human-caused climate change and global warming is real and is happening at a rapid and dangerous pace. And that this climate change will affect all aspects of water in Utah, and therefore must be factored into all water strategies, projections, plans, and policies.

Expectations are that the new Biden Administration will require stronger climate change analyzes for all proposed new water plans and projects that have a nexus with federal lands and waters. Utah should not resist, but embrace this challenge in order to assure sustainability in our water future.

The other shortcoming with the statute that I would like to point out is the failure to acknowledge that development of water resources for beneficial uses, past, present and future, results in depletions. And that these depletions should be factored in to broad policy choices (as opposed to the appropriate role of the State Engineer to make determinations of use on a case-by-case basis). A key example is the declining levels of Great Salt Lake. Not only is the Lake losing water due to climate change, it has dropped 11 feet in historic times due to depletion from diversions for beneficial use. Plans and policies to address Lake levels should take both factors into account.

Lastly, a number of conservation organizations submitted recommended suggested revisions to HB 41 last November and during the 2000 General Session. A couple of those suggestions were adopted in the enrolled bill, but others were not. I have attached the final draft of those suggestions. There should be final copies in the files/related materials for the meetings of the Legislative Water Development Commission and the NRAE Interim Committee from November 19 and 20, respectively.